

BEST AVAILABLE COPY**United States Patent and Trademark Office**Under Secretary of Commerce for Intellectual Property and
Director of the United States Patent and Trademark OfficeP.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov**MAILED****JUN 28 2005**U.S. PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCESSiemens Corporation
Intellectual Property Department
186 Wood Avenue South
Iselin, NJ 08830

Appeal No: 2005-1380
 Appellant: Martin W. Masters et al.
 Application No: 09/944,314
 Hearing Room: A
 Hearing Docket: A
 Hearing Date: Wednesday, August 10, 2005
 Hearing Time: 01:00 PM
 Location: Madison Building - East Wing
 600 Dulany Street, 9th Floor
 Alexandria, Virginia 22313-1450

**NOTICE OF HEARING
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED. This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

BPAI HEARINGS FAX No: (571) 273-0299

USPTO Central Fax No: (703) 872-9306

BPAI Mailing Address: BOARD OF PATENT APPEALS AND INTERFERENCES
 UNITED STATES PATENT AND TRADEMARK OFFICE
 P.O. BOX 1450
 ALEXANDRIA, VIRGINIA 22313-1450

In all communications relating to this appeal, please identify the appeal by its number.

CHECK ONE: (X) HEARING ATTENDANCE CONFIRMED () HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant
JOEL MILLER

07-18-05
Date

29,955
Registration No.

Names of other visitors expected to accompany counsel: MARK H. JAY, ESQ.

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see
http://www.uspto.gov/web/offices/dcom/bpa/does/contacts/contact_info.htm

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Appeal No. 2005-1380

Appellant: M. Masters et al.

Serial No.: 09/944,314

For: Processes for texturing the surface
of a hearing instrument

Filed: August 31, 2001

Group: 1734

Examiner: George R. Koch

Att'y Dkt.: 2001 P 16282 US

Certificate of Transmission
Pursuant to 37 C.F.R. § 1.8

I hereby certify that this paper is being sent this
day via facsimile to 571-273-8300 and to the Board
at 571-273-0299.

Joel Miller
Attorney Name

29,955
Reg. No.


Signature

July 18, 2005
Date of Signature

Oral Hearing

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

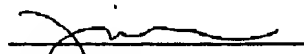
Via Facsimile Only

Sir:

As discussed with Mr. Craig Feinberg at the Board today, related application serial no. 09/944,315 is also on appeal and, given the similarity of issues presented in both appeals, appellants requested that the oral hearing in the '315 application be consolidated and heard together with the above-identified appeal. As instructed, appellants are confirming their intent to proceed with the August 10, 2005 hearing in appeal no. 2005-1380 with the understanding that both appeals will be heard on that date or, should such scheduling not be possible, a hearing on both appeals will be scheduled for another date.

Dated: July 18, 2005

Respectfully submitted,


Joel Miller
Reg. No. 29,955
17 Westwood Drive South
West Orange, N.J. 07052
(973) 736-8306

Attorney for Applicant(s)
under 37 C.F.R. 1.34(a)

JOEL MILLER
ATTORNEY AT LAW
17 WESTWOOD DRIVE SOUTH
WEST ORANGE, N.J. 07052
(973) 736-8306
FAX (973) 731-0133

July 18, 2005

5:36 pm

FACSIMILE MESSAGE

PLEASE DELIVER THIS IMMEDIATELY TO:

**BOARD OF PATENT APPEALS
AND INTERFERENCES**

VIA FACSIMILE ONLY

FAX TEL: 571-273-0299
571-273-8300

IF YOU DID NOT RECEIVE 3 PAGES, INCLUDING THIS COVER PAGE,
PLEASE CALL (973) 736-8306.

Re: Appeal No. 2005-1380
Application Serial No. 09/944,314

Contents:

Letter concerning Oral Hearing (1 page)
Notice of Hearing - Confirmation (1 page)

SHIFAX